



United Kingdom

Country Reports on Human Rights Practices - [2004](#)

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The United Kingdom of Great Britain and Northern Ireland (UK) is a longstanding constitutional monarchy with a democratic, parliamentary government. The most recent general election was held in 2001; a number of political parties participated in the election, and it was free and fair. The judiciary is independent.

The Home Office is responsible for internal affairs in England and Wales, including the protection and security of the public. The Ministers of the Scottish Executive, who answer to the Scottish Parliament, have policy responsibility for law and order in Scotland. In Northern Ireland, the Police Service of Northern Ireland (PSNI) has responsibility for maintaining law and order. Civilian authorities generally maintained effective control of the security forces. Some members of the security forces committed human rights abuses.

The diversified, market-based economy grew by 3.2 percent. Wages, supplemented by generous state benefits, kept pace with low inflation (1.2 percent) for most of the 59.6 million residents.

The Government generally respected the human rights of its citizens; although there were some problems, the law and judiciary provide effective means of addressing individual instances of abuse. There were some complaints that individual members of the police and military occasionally abused detainees and other persons. Prison conditions remained a problem, including overcrowding and instances of mistreatment by prison officials. Asylum seekers, women, children, and ethnic minorities faced violence and discrimination, which the Government continued to combat. Trafficking of persons into the country remained a problem, which the Government took steps to address.

Although most paramilitary organizations in Northern Ireland continued to maintain a cease-fire, killings and "punishment attacks" continued to occur in some areas under the influence of paramilitary groups. Some republican dissident groups committed acts of violence aimed at disrupting the peace process, particularly a series of arson attacks against commercial establishments at the end of the year.

RESPECT FOR HUMAN RIGHTS

Section 1

Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no politically motivated killings by the Government or its agents. Between January 1 and September 30, 40 persons died while being arrested by police or while in police custody; however, there was no indication that the deaths resulted from police misconduct.

On December 8, Parliament's Joint Committee on Human Rights issued its inquiry into deaths in custody, calling for establishment of a cross-departmental expert task force to develop guidelines on how to prevent such deaths.

On March 4, the Surrey Police released a "final report" concerning the 1995-2002 deaths by gunshot wounds of four soldiers at the Princess Royal Barracks, Deepcut. The army stated the deaths were suicides. In its report, the Surrey Police recommended that the Ministry of Defense (MOD) consider whether independent oversight could help the army "define and maintain appropriate standards of care for young soldiers."

In April, the Government published reports, with some redactions on national security grounds, regarding allegations of government involvement, collusion, or culpability in four killings that took place in Northern Ireland. At the same time, the Government announced that it would hold judicial inquiries into three of the killings. In September, the Government announced that it would also hold a judicial inquiry into the fourth case, the 1989 killing of Pat Finucane. Some political parties and human

rights groups have raised concerns that the Government may seek to limit the public scope of the four inquiries to avoid the exposure of potentially embarrassing information, especially in the Finucane case.

In November, the Saville Inquiry into the events of "Bloody Sunday" (January 30, 1972) finished collecting testimony and heard closing statements. The Inquiry chairman and the two other judges began drafting their report (see Section 1.e.).

The nongovernmental organization (NGO) British Irish Rights Watch (BIRW) reported that paramilitary groups were thought to be responsible for at least four killings in Northern Ireland from January 1 through September 30.

b. Disappearance

There were no reports of politically motivated disappearances.

There were no developments in the May 2003 disappearance of Gareth O'Connor.

The Commission for the Location of Victims' Remains, established jointly by the UK and Irish governments in 1999 to locate the remains of nine victims killed and secretly buried by the Provisional IRA in the 1970s, did not locate any bodies during the year.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices; however, there were complaints that individual members of the police occasionally abused detainees.

From April to year's end, 1,103 complaints against police were referred to the Independent Police Complaints Commission (IPCC).

The IPCC investigated two police officers in Cheshire for allegedly raping a woman at a party and in a police car. The officers were placed on bail while the investigation continued. In Yorkshire, a police officer was suspended from duty while the IPCC investigated allegations that he sexually assaulted a woman, possibly while he was on duty. In both cases, the investigations continued at year's end.

Between April 2003 and March, the Police Ombudsman for Northern Ireland received 4,196 allegations that led to 2,976 complaints of police abuse. Of the complaints, 37 percent concerned oppressive behavior. As of March 31, 2,799 complaint investigations were closed. The Ombudsman made 76 referrals for disciplinary action to the Chief Constable and referred 10 cases to the Director of Public Prosecutions for possible legal action.

Surrey police were investigating an alleged gang rape from 10 years ago, and turned over to the army for investigation 172 allegations from anonymous, and sometimes "untested and uncorroborated witness recollection" involving hazing and mistreatment at Deepcut Barracks and other army training facilities.

Both loyalist and republican paramilitary groups in Northern Ireland continued to intimidate or carry out killings or "punishment attacks" in areas under paramilitary influence. The attacks often were intended to maintain or extend the control of paramilitary groups in an area. The PNSI reported that, as of November 30, 218 "paramilitary-style attacks" had occurred in Northern Ireland. Of these, 109 were shootings and 109 were beatings. In the past, human rights groups have stated that available statistics underreported the casualties because many victims were too intimidated to report the attacks.

Prison conditions generally met international standards; however, instances of mistreatment by prison officials, overcrowding, and suicides occurred. As of July 2, there were 74,700 prisoners in England and Wales, according to the Prison Service. A July report by the Prison Reform Trust (PRT) warned that 91 of 138 prisons in England and Wales suffered from overcrowding. In October, the Chief Inspector of Prisons for Scotland also noted overcrowding was caused by record numbers of prisoners.

In October, the Northern Ireland Human Rights Commission (NIHRC), an independent, government-funded body, criticized the conditions for female inmates at Mourne House, Maghaberry Prison, as failing to meet minimum "duty of care" standards. The Northern Ireland Prison Service Director General stated that conditions for female inmates improved substantially in June when they were transferred to a new facility; however, an NIHRC investigator said the transfer to the new facility failed "to meet even the basic conditions required" by the Prison Inspectorate.

As of September, 70 prisoners in England and Wales committed suicide in jail. The PRT stated that the institutions with the highest number of suicides were generally the most overcrowded.

In the prison system, women were held separately from men, juveniles from adults, and pretrial detainees from convicted prisoners. In addition, there were five mother and baby units in prisons in England and Wales, allowing mothers to keep their children with them while incarcerated.

The Government permitted independent human rights observers and the media to visit prisons and immigration detention centers.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest or detention, and the Government generally observed these prohibitions. However, arrests may be made without judicial warrants, particularly in Northern Ireland. When police have reasonable cause to suspect wrongdoing, the law gives authorities broad powers of arrest, detention, and interrogation.

In Great Britain, regional police forces (44 in England and Wales and 8 in Scotland) are responsible for maintaining law and order. In Northern Ireland, the PSNI has that responsibility. In some areas of Northern Ireland, because of the continuing threat of violence, army units reinforce the PSNI. There were approximately 12,600 British troops stationed in Northern Ireland, 800 fewer than in 2003.

On April 1, the Parliament created the IPCC, replacing the Police Complaints Authority. The IPCC has its own body of civilian investigators with the power to investigate allegations of police misconduct completely separate from the police. The IPCC provides for: Involvement of the complainant in the investigation, openness in disclosing materials to the complainant, effective powers to order disciplinary charges be brought against police officers, and independence of the person carrying out the IPCC investigation.

The law allows senior police officers to designate areas where police have exceptional power to stop and search pedestrians and vehicles whenever any uniformed police officer "considers it expedient for the prevention of acts of terrorism." In July, a Home Office report showed that police stopped and searched Blacks and South Asians (a 302 percent increase between the 2001 and 2002 fiscal years) more regularly than Whites. The Government ordered a review of the application of relevant legislation, which was ongoing at year's end.

Following an October 2003 British Broadcasting Corporation (BBC) documentary that included hidden-camera footage of police officers making explicitly racist statements, 10 officers resigned. The Commission for Racial Equality launched an investigation into racism in the police service. On June 14, the investigators released an interim report, making recommendations about screening of recruits, training for officers, and grievance procedures for affected employees.

On December 14, the Morris Inquiry released its findings into allegations of racism within the Metropolitan Police, better known as Scotland Yard. The report concluded, "statistics indicated clear disproportionality in the way black and minority ethnic officers are treated in relation to the management of their conduct. This represents a serious issue of discrimination."

Generally, police officers may only arrest persons if they have reasonable grounds for suspecting that someone has committed or is about to commit one or more listed "arrestable offenses." Even if the crime in question is not an arrestable offense, a police officer may arrest a person without a warrant, provided the officer believes the arrest is necessary to prevent damage to property or physical injury. However, the law provides for certain exceptions related to terrorism, particularly in Northern Ireland.

The law also provides law enforcement authorities with the power to detain for up to 48 hours without charge individuals suspected of having committed a terrorism-related offense. A court may extend this period for a maximum of 14 days.

Detainees are allowed to make telephone calls and have legal representation. The law limits the amount of time that a suspect can be detained without a formal charge and requires that an inspector review the detention at set intervals to ensure that it is necessary and lawful.

The Anti-Terrorism, Crime, and Security Act (ATCSA) allows for extended detention of foreigners suspected of being terrorists but who cannot be removed from the country immediately, due to concerns that they will be subjected to torture in their country of origin. Detainees have the right to appeal their certification, and all the detainees are free to leave the country at any time. On December 16, the Law Lords ruled that the ATCSA detention powers violated the European Convention on Human Rights, which has been incorporated into the law. The Government announced that the 11 individuals detained under ATCSA would remain in detention while Parliament and the Government decided how to respond to the ruling.

Defendants awaiting trial have a statutory right to bail except when there is a risk that they would flee, commit another offense, or in other limited circumstances.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the Government generally respected this provision in practice.

There are several levels of courts. In England and Wales, most criminal cases are heard by Magistrates' Courts, which were managed by locally based committees. Their decisions may be appealed to the Crown Courts, which also hear criminal cases requiring a jury trial, or to the High Courts. Crown Court convictions may be appealed to the Court of Appeal, which may in turn refer cases involving points of law to the Lords of Appeal in Ordinary (the "Law Lords"). The Law Lords, who sit in the House of

Lords but are functionally distinct from the legislative body, constitute the country's final court of appeal. The Criminal Cases Review Commission operates as an additional appellate body in England, Wales, and Northern Ireland and considers cases after the judicial appeals process is exhausted, but where there is significant new evidence that casts doubt on the conviction.

In Scotland, the High Court of Justiciary acts as a court of first instance for serious crimes such as rape and murder. The High Court also serves as an appellate body. There are 49 Sheriff Courts, which handle lesser crimes. Sheriff Courts have restricted sentencing power but can remit cases to the High Court for disposal if they so choose. District Courts sit in each local authority and handle crimes such as breach of peace, minor assaults, and petty theft. Civil matters can be handled in the first instance by either the Court of Session, which is the supreme civil court in Scotland, or by Sheriff Courts. The Court of Session also serves as the appellate court for civil matters. Decisions by the Court of Session can be appealed to the Law Lords in Westminster.

The law allows for jury trials, except in England and Wales when the jury has been intimidated, when "compelling new evidence" arises after a previous acquittal, or when evidence of a defendant's previous misconduct (including previous convictions) is going to be introduced. In Northern Ireland, trials for certain terrorism-related crimes also do not allow juries. Defendants enjoy a presumption of innocence until proven guilty, the right to question witnesses against them, and the right of appeal to successively higher courts. Indigent defendants have the right to free counsel of their choice, with some exceptions.

Criminal proceedings must be held in public except those in juvenile court and those involving public decency or security. In a trial under the Official Secrets Act, the judge may order the court closed, but sentencing must be public.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the Government generally respected these prohibitions in practice.

Warrants normally were required for a police search of private premises; however, a police officer may enter and search without a warrant "any premises if he or she reasonably suspects a terrorist is to be found there."

A case brought by three NGOs--BIRW, Liberty, and the Irish Council for Civil Liberties--before the European Court of Human Rights in 2002, stating that the Government had intercepted their telephone calls to clients in Ireland without a warrant, remained suspended while the plaintiffs continued to argue their case in domestic courts and tribunals. In December, the Investigatory Powers Tribunal ruled that the Government's warrant system for intercepted communications between the United Kingdom and other countries was compatible with the European Convention on Human Rights.

g. Excessive Force/Violations of Humanitarian Law in Internal and External Conflicts

At year's end, court-martials were underway for three British officers charged with abuse of Iraqi detainees in May 2003.

Section 2

Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and the Government generally respected these rights in practice and did not restrict academic freedom. An independent press, an effective judiciary, and a functioning democratic political system combined to secure freedom of speech and of the press.

Unlike in the previous year, there were no reports that police detained journalists under the Official Secrets Act.

In October, the Police Ombudsman for Northern Ireland criticized police searches conducted in 2003 at the home of journalists Liam Clarke and Kathryn Johnston and an office at the Sunday Times newspaper. The Ombudsman described the seizure of materials from the premises as being unlawful.

The investigation into the 2001 drive-by shooting of Martin O'Hagan--the only journalist killed in Northern Ireland continued at year's end.

The Government did not restrict access to the Internet.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly, and the Government generally respected this right in practice.

In Northern Ireland, the annual "marching season" posed problems, as residents in some Catholic communities perceived certain parades as threatening and provocative. The law grants responsibility for ruling on "contentious" marches to a Parades Commission, which may not ban marches, but may impose conditions, such as route restrictions. Of the approximately 3,300 notified parades between April 2003 and March, 231 were considered contentious; the Parades Commission imposed restrictions on 162. According to the Parades Commission, the numbers of both contentious parades and restrictions imposed were affected by the notification of a Drumcree return parade virtually every week.

On February 19, a high court ruled that the Gloucestershire Police unlawfully detained anti-war demonstrators aboard three buses en route from London to Fairford in July 2003. The court ruled that the police had been entitled to stop the protestors from causing a breach of the peace, but it was unlawful for the police to hold the group on the buses for the return journey to London.

On September 15, 10,000 demonstrators gathered outside Parliament to protest the House of Commons' efforts to outlaw foxhunting with dogs. Police struck some of the protestors with batons to keep them behind the police line. The Metropolitan Police reported that 17 persons were injured: 16 protestors and 1 police officer. However, 45 persons have filed complaints of police brutality with the IPCC. Of the 1,000 police officers present, the IPCC warned 19 that they were being investigated. At year's end, independent investigators continued their research into this incident on behalf of the IPCC. IPCC investigators continued to interview over 100 witnesses and serve orders on television companies and newspaper photographers in order to obtain visual evidence.

The law provides for freedom of association, and the Government generally respected this right in practice.

c. Freedom of Religion

The law provides for freedom of religion, and the Government generally respected this right in practice.

There were two established churches: The Church of England (Anglican) and the Church of Scotland (Presbyterian). There were no established churches in Wales or Northern Ireland. Two Anglican Archbishops and 24 Bishops receive automatic membership in the House of Lords, while clergy from other faiths are not afforded this privilege. Other than in the House of Lords, membership in a religious group does not confer a political or economic advantage.

The Government does not consider the Church of Scientology and the Unification Church as religions for the purpose of visas for ministers of religion or missionaries.

In April, the Government dismissed Unification Church leader Reverend Sun Myung Moon's appeal of his exclusion from the country in May 2003.

The law requires religious education in publicly maintained schools throughout the country. The shape and content of religious instruction is decided on a local basis and must be nondenominational and refrain from attempting to convert pupils. All parents have the right to withdraw a child from religious education, but the schools must approve this request.

In addition, schools in England and Wales have to provide a daily act of collective worship, which may be waived if a school's administration deems it inappropriate for some or all of the students. Under some circumstances, non-Christian worship may be allowed. Teachers' organizations have criticized school prayer and called for an official review of the practice.

While the majority of state-supported schools were Protestant or Roman Catholic, there were a number of state-supported Jewish and Muslim schools, as well as two Sikh schools, one Greek Orthodox school, and one Seventh-day Adventist school.

The Community Security Trust (CST) recorded 532 anti-Semitic incidents during the year. Among these were 79 assaults, 4 cases of extreme violence, and 53 instances of desecration and damage to property. For example, on August 22, cemetery officials discovered the desecration of approximately 60 gravestones in a Jewish cemetery in Birmingham. Police charged two suspects with racially aggravated criminal damage, racially aggravated public disorder, and causing racially aggravated harassment, alarm, or distress.

The number of anti-Semitic incidents in the country rose significantly during the year. Figures from Israel's Global Forum Against Anti-Semitism stated that 310 anti-Semitic incidents occurred in the country during the year, of which 77 were violent, as opposed to 163 anti-Semitic incidents in 2003, of which 55 were violent. Most of the incidents occurred near or at synagogues, some of which were set on fire or were targets of attempted arson.

The law prohibits offenses aggravated by religious hostility and extends a prohibition against incitement to racial hatred to include cases where the incitement to hatred is directed against groups abroad. On October 19, police charged Abu Hamza al-Masri with 16 criminal offenses, including soliciting or encouraging the murder of Jews, inciting racial hatred, and possessing a document that contained information "of a kind likely to be useful to a person committing or preparing an act of terrorism." At year's end, his trial was ongoing.

According to the Forum Against Islamophobia and Racism (FAIR), approximately 85 incidences of Islamophobia occurred

between January and November. On May 21, over 30 white "skin heads" attacked and beat 2 Muslim teenagers in West Yorkshire, leaving 1 unconscious, while referring to them in racially derogatory terms.

The Islamic community has criticized an increase in stops and searches (see Section 1.d.) and arrests of Muslims under recent anti-terrorism laws, with only a handful of searches actually leading to arrests or convictions. In May, the Muslim Council of Britain reported a fear of the growing trend of "institutionalized Islamophobia," alleging that the Muslim community faces increasing bias from police. In an Islamic Human Rights Commission poll released in December, 80 percent of British Muslims (compared with 45 percent in 2000 and 35 percent in 1999) said they had been discriminated against because of their faith.

On December 14, police arrested the leader of the British National Party (BNP) on suspicion of incitement to racial hatred. His arrest was the twelfth following the July broadcast of a BBC documentary entitled *Secret Agent* in which BNP members were covertly recorded as they called Islam a "vicious, wicked faith" and admitted to their participation in racially motivated crimes. At year's end, the leader remained on police bail.

The 1998 Good Friday Agreement aimed to create a lasting settlement to the conflict in Northern Ireland and a society based on consent, power sharing, equality of opportunity, and human rights. However, fear of inter communal violence has, over the years, contributed to a pattern of segregated communities in Northern Ireland. Many Protestant and Catholic families have moved away from mixed-religion or border areas.

By November, the police in Northern Ireland reported approximately 111 attacks against both Catholic and Protestant churches, schools, and meeting halls. Such sectarian violence often coincided with heightened tensions during the spring and summer marching season (see Section 2.b.).

For a more detailed discussion, see the [2004 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the Government generally respected them in practice.

There is no law prohibiting forced exile; however, the Government did not employ it.

The law provides for the granting of asylum or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol, and the Government has established a system for providing protection to refugees. In practice, the Government provided protection against refoulement, the return of persons to a country where they feared persecution; however, the Government limited this right for persons from "safe countries of origin." The Government granted refugee status or asylum. The Government cooperated with the office of the U.N. High Commissioner for Refugees and other humanitarian organizations in assisting refugees and asylum seekers. The Government also provided temporary protection to individuals who may not qualify as refugees under the 1951 Convention/1967 Protocol. In 2003, approximately 7,210 persons were not recognized as refugees but were granted permission to remain in the country.

The Asylum and Immigration (Treatment of Claimants, etc.) Act of 2004 authorizes the Home Secretary to institute a list of safe countries of origin (or safe parts of certain countries) for particular classes of people. This is in addition to the Home Secretary's previously established authority to designate a list of safe countries for all residents therein. The Government considered asylum claims from such individuals as unfounded.

The Act also casts doubts on the credibility of applicants who claim asylum in the country after having passed through a safe country of transit. Furthermore, the law permits asylum seekers to be removed to a third country deemed responsible for adjudicating an applicant's claim. Immigration NGOs such as the Refugee Council expressed concerns about these provisions of the law, as well as sections of the law that make it a criminal offense to attempt to enter the country without a passport and replace a two-tier asylum appeals process with a single-tier Asylum and Immigration Tribunal.

Section 3

Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

The Government is formed on the basis of a majority of seats in the House of Commons, which are contested in elections held at least every 5 years; the most recent elections were in 2001. The other chamber of Parliament, the appointed House of Lords, has the power to revise and delay, but not block the implementation of laws. Participation in the political process is open to all persons and parties. All citizens age 18 and older may vote. Other elected bodies such as the Scottish Parliament and the Welsh Assembly have control over matters of regional importance, such as education, health, and some economic matters. Foreign affairs and defense continued to be the responsibility of the central government.

The small number of remaining overseas territories had an aggregate population of approximately 190,000 persons. They

enjoyed varying degrees of self-government based on the UK model, with appointed governors.

The Freedom of Information Act of 2000 allows for public access to information held by public authorities in England, Wales, and Northern Ireland. The Freedom of Information Act (Scotland) of 2002 is expected to provide the same benefits for Scotland when it comes into effect on January 1, 2005.

There were 119 women in the 659-seat House of Commons. There were 5 women in the 23-member Cabinet. There was 1 woman among the 12 "Law Lords" (the country's equivalent of the Supreme Court). There were 13 members of minorities in the 659 seat House of Commons and 2 members of minorities in the 23 member Cabinet. There were no minorities among the 12 Law Lords.

Section 4

Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views.

Although there was no autonomous human rights ombudsman, there were three government-instituted bodies that monitored human rights practices in England and Wales: The Commission for Racial Equality, the Disabilities Rights Commission, and the Equal Opportunities Commission. In addition, the Northern Ireland Human Rights Commission monitored and reported on human rights developments in Northern Ireland. Finally, Parliament has a Joint Committee on Human Rights.

Section 5

Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits incitement to racial hatred and discrimination on the basis of gender, disability, sexual orientation, race, color, nationality, or national or ethnic origin; however, some groups continued to experience societal discrimination.

Women

Violence against women continued to be a problem. According to the Home Office, two women per week died from domestic violence, which accounted for one-quarter of all violent crime. The Home Office's crime statistics for April 2003 through March show 12,319 rapes of women and 26,709 indecent assaults on women.

Criminal penalties for rape (including spousal rape), sexual assault, and domestic violence are substantial, and these laws were enforced strictly. The law provides for injunctive relief, personal protection orders, and protective exclusion orders (similar to restraining orders) for women who are victims of violence. The Government provided shelters, counseling, and other assistance for victims of battery or rape and offered free legal aid to battered women who were economically reliant on their abusers.

The law makes it a crime to practice Female Genital Mutilation, or to assist another person in its practice, either in the country or in another country. The extent to which the procedure took place was unknown, but NGOs reported that the practice continued in isolated incidents during the year.

While prostitution involving consenting adults is not illegal, offenses such as loitering for the purpose of prostitution and maintaining a brothel are prohibited. Organized international gangs continued to traffic women into the country for exploitation in the sex industry (see Section 5, Trafficking). The law also prohibits child sex tourism and allows authorities to prosecute citizens or residents for offenses committed abroad. On June 2, a 66 year-old man was sentenced to 2 years in prison for attempting to incite a male under the age of 16 to commit a sexual act and an act of gross indecency. The man had posted a message on an Internet site indicating he wanted to meet a young Sri Lankan. He then sent sexually explicit messages to an undercover child-protection officer in Sri Lanka who was posing as a 15-year-old boy. Although the man's actions were not an offense under Sri Lankan law, authorities in London determined that he had violated British sex-tourism laws.

The law prohibits sexual harassment and provides penalties of up to 5-years' imprisonment for sexual harassment in public or in the workplace.

The law provides for equal opportunity for the sexes; however, in practice, women experienced some discrimination. The Department for Trade and Industry's Women and Equality Unit reported that women's hourly earnings were, on average, 82 percent of men's. Of the 22,000 positions in national public bodies, women held 34 percent; they held 9 percent of the seats on the boards of the 100 largest companies on the London Stock Exchange.

Women's issues were the responsibility of two Ministers for Women at the Cabinet level. The Government's Equal Opportunities Commission supported women who bring discrimination cases before industrial tribunals and courts and produced guidelines for employers. The Women's National Commission, an independent advisory body representing 300 partner organizations, worked to ensure women's views were taken into account by the Government and heard in public debate.

Children

The Government was strongly committed to children's rights and welfare; it amply funded a system of public education and medical care and worked to prevent child abuse. The Government provided free, universal, and compulsory education until age 16 and further free education until age 18 if a student so desires. U.N. Educational, Educational, and Cultural Organization statistics indicated that 100 percent of children of primary school age were enrolled in school, and over 90 percent of children of secondary-school age were enrolled.

Child abuse remained a problem. As of March 2003, there were 32,736 children on child protection registers, locally maintained lists of children whom social-services authorities judged to be at continuing risk of significant harm due to neglect, physical abuse, sexual abuse, or emotional abuse. Several NGOs and charities, the most prominent of which was the National Society for the Prevention of Cruelty to Children, campaigned for an end to child abuse and neglect.

The Minister for Children coordinates government policy concerning children and young persons. In Scotland, the Minister for Education and Young People and the Minister for Communities oversee similar programs designed to protect and provide assistance to minors.

The Sexual Offences Act 2003, which entered into force on May 1, criminalizes a greater number of acts related to the sexual abuse of children and strengthened the national sex offenders register, which aims to prevent recidivism among convicted wrongdoers. On October 22, a Lancashire man pled guilty to causing a child to engage in sexual activity. On November 26, a Haverhill man pled guilty to seven offenses under the new law and was sentenced to 3 years' imprisonment.

Some children have been subjected to forced labor or trafficked into the country for sexual exploitation (see Section 5, Trafficking).

The Armed Forces accept recruits from age 16. NGOs including the Child Soldiers Coalition and Amnesty International have criticized this practice.

Trafficking in Persons

The law prohibits trafficking in persons; however, trafficking in persons, particularly for sexual exploitation, remained a problem.

The law prohibits trafficking in persons for the purposes of prostitution, sexual exploitation, organ harvesting, or forced labor. The Sexual Offenses Act of 2003, which came into force on May 1, criminalizes trafficking offenses by citizens and residents, whether committed in the country or abroad, and carries a maximum sentence of 14 years' imprisonment.

The Sexual Offenses Act of 2003 focused on issues of exploitation by coercers, pimps, and traffickers. The penalties for keeping a brothel were increased, and a new range of offenses for causing, inciting, and controlling prostitution for gain were introduced. Separate offenses were also introduced to combat the exploitation of children through prostitution, with severe penalties for causing, inciting, controlling, arranging, or facilitating the prostitution of a child. For the purposes of the Act, the offense can take place anywhere in the world. The Act also criminalizes the buyer, with the new offense of paying for sexual services of a child.

The "Reflex" Task Force, which brings together agencies that combat trafficking and migrant smuggling in persons, reported that the authorities have been responsible for 38 disruptions of criminal gangs and 38 convictions for organized immigration crime between April 2003 and March. In the first 6 months of the year, there were 18 disruptions and more than \$1,800,000 (1,000,000 pounds) of assets seized.

In April, the Court of Appeals, at the Government's request, increased convicted trafficker Luan Plakici's sentence to 23 years' imprisonment for seven counts of kidnapping, procuring, living on immoral earnings, and facilitating the entry of illegal immigrants.

In July, Kinsley Ojo, arrested as a result of an investigation into the discovery in September 2001 of the torso of a Nigerian boy in the River Thames, was convicted of trafficking-related offenses and sentenced to 4 years in prison. Police believed the boy was trafficked into the country and then murdered in a ritual killing.

On December 22, a court convicted two Albanian men of trafficking two people into and within the country for sexual exploitation. One man was sentenced to 18 years in prison and the other to 9 years' imprisonment.

Between March 2003 and February, MAXIM, a government partnership targeting organized immigration crime, staged 60 proactive operations and made 151 arrests. Authorities charged 30 persons as a result of these arrests.

The Home Office, which includes the Immigration and Nationality Directorate, had the lead in efforts to combat trafficking. Other Cabinet-level departments include the Foreign and Commonwealth Office, Department of Trade and Industry, Department for Education and Skills, the Crown Prosecution Service, and the Department for International Finance and Development.

The country is primarily a destination country for trafficking in persons and occasionally a country of transit. There is no comprehensive official estimate of the number of victims of trafficking or the annual number of persons trafficked into the country. The Government received 169 referrals at its specialized shelter project for women trafficked for sexual exploitation between March 2003 and September.

Women were trafficked for sexual exploitation from Central and Eastern Europe (primarily Albania, Kosovo, Lithuania, Latvia, Estonia, Romania, Bulgaria, Russia, and Moldova). Some also came from Thailand and China through "snakehead" gangs criminal groups that operated trafficking rings. West Africa (primarily Nigeria, Liberia, and Sierra Leone) was a source of women and children trafficked to the country. According to police sources, West African children appeared to be brought in primarily to work as domestics. NGO evidence indicated that some West African children might be trafficked through the country to Italy and other European Union countries for sexual exploitation. In one case, the U.S. was a destination country.

Many trafficked women worked in the sex industry. However, women, men, and children were also trafficked for labor exploitation in domestic service, agricultural and rural labor, construction, and catering.

Trafficking victims were most often subject to debt bondage, the withholding of travel documents, false information about law enforcement and immigration penalties, or threats of violence against them or their families. Physical and sexual violence were employed as well, although less frequently.

Organized international gangs were alleged to be responsible for most trafficking for commercial sexual exploitation.

The Government reviewed and assessed the victim protection program it initiated in 2003 with the NGO Eaves Housing. As a result of the review, the Government made adjustments in program eligibility criteria and increased funding for the program. Local Social Services authorities and various charities provided services to trafficking victims. Because care and protection were not confined to program facilities, overall efforts in victim protection were difficult to assess.

NGOs criticized the Government for not "opting in" on the European Council directive on providing short-term residence permits for victims of trafficking who cooperate with the authorities. The Government did not prosecute victims of trafficking who were violating prostitution or immigration laws; however, they could face repatriation to their country of origin.

The Foreign and Commonwealth Office and the Department for International Development distribute anti-trafficking material in countries of origin. Immigration intelligence assets were deployed across Europe on the main routes for illegal migration and trafficking under the Immigration Liaison Officer (ILO) program. The National Criminal Intelligence Service engaged in exchange programs in which its officers aided in preventive anti-trafficking efforts in Central and Eastern Europe.

In addition to bilateral international efforts, the Government continued to support regional multilateral efforts in the Balkans through the Stability Pact for South Eastern Europe under the OSCE. The Government also funded a communication campaign, in partnership with an NGO, which was intended to increase general public awareness, potential victim awareness, and to give trafficked women access to the resources available to them.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services. The law mandates access to buildings for persons with disabilities, and the Government generally enforced these provisions in practice.

On October 1, the third part of the Disability Discrimination Act came into force, mandating that all public service providers (except in the transportation sector) make "reasonable adjustments" in order to make their services available to persons with disabilities. This part of the Act also made it illegal for employers with fewer than 15 employees to harass or discriminate against job applicants or employees with disabilities. It has long been illegal for larger employers (except for the armed forces) to do so.

The Disability Rights Commission (DRC), an independent organization funded by the Government, worked on behalf of disabled persons to stop discrimination and promote equality of opportunity. The DRC provided a hotline for persons with disabilities and employers, legal advice and support for individuals, and policy advice to the Government. The DRC also has the power to conduct formal investigations, arrange conciliation, require persons to adopt action plans to ensure compliance with the law, and apply for injunctions to prevent acts of unlawful discrimination.

The DRC advocated the enactment of additional legislation to extend the right of access for persons with disabilities to public transportation (for example, buses and trains) and to require landlords to make reasonable accommodations for tenants with disabilities.

National/Racial/Ethnic Minorities

Despite legal prohibitions against racial discrimination, persons of African and Afro-Caribbean, South Asian, or Middle Eastern origin, and Travellers--itinerant populations consisting of Roma, Irish, and other ethnic groups estimated to number 300,000

persons--were occasionally the victims of societal violence and some discrimination.

Victim Support, a charity assisting persons affected by crime, received 33,374 referrals for assistance in cases of racially motivated crime between April 2003 and March 31. During the same time period, the Crown Prosecution Service prosecuted 3,616 defendants for racially motivated crimes, a 13 percent increase over the previous year.

On March 6 in Peterborough, a gang of 15 persons attacked a man of South Asian origin as he was returning to work. The attackers threw a road sign, stones, and a block of concrete at him and shouted racist statements. When confronted by the victim's coworkers, the gang left the scene and began to attack an Iraqi Kurd with sticks and verbal abuse. Three youths ranging in age from 16 to 19 were convicted of offenses ranging from violent disorder to wounding with intent.

On June 12, up to 20 persons attacked a group of 5 Black men outside a pub in Edinburgh. As a result of the attack, all five victims had to be treated at a hospital. According to a police spokesperson, "allegations of an assault were made; but due to the number of people involved and the fact that several of them had been drinking, establishing exactly what had happened was not possible."

On September 26 in Coventry, 2 white men punched a Sikh man 30 times while directing racial epithets at him. The victim said it was the seventh time in 10 years that he had been subject to a violent, racially motivated attack.

The Commission for Racial Equality (CRE) is an independent, government-funded body that seeks to ensure fair treatment and equal opportunities for national/racial/ethnic minorities. The CRE provided guidelines on anti-discrimination practices, supported persons taking court action, and initiated its own court actions. During the year, the CRE instigated compliance procedures against 52 public bodies (out of a total of 43,000 such organizations) for failing to promote racial equality.

Other Societal Abuses and Discrimination

The law prohibits discrimination and harassment based on sexual orientation; however, sporadic incidents of homophobic violence were reported. The law encourages judges to impose a greater sentence in assault cases where the victim's sexual orientation is a motive for the hostility, and many local police forces demonstrated an increasing awareness of the problem and trained officers to identify and moderate these attacks.

Section 6 Worker Rights

a. The Right of Association

The law provides for the right of workers, except those in the armed forces, public sector security services, and police forces, to form and join unions, and workers exercised this right in practice. Almost 30 percent of the workforce was unionized. Coverage was most widespread in the public sector, where 60 percent of workers were unionized. In contrast, 19 percent of private sector workers were unionized.

b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, and the Government protected this right in practice. Collective bargaining is protected in law and was freely practiced. Under the law, a strike must be confined to workers and their own employers ("secondary boycotts" are illegal), the dispute must be wholly or mainly about employment-related matters (for example, pay and conditions), workers must be properly and secretly balloted before striking (with notice to the employer), and mass picketing is prohibited. Workers freely exercised the right to strike.

There are no export-processing zones.

c. Prohibition of Forced or Compulsory Labor

The Government prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred (see Section 5).

d. Prohibition of Child Labor and Minimum Age for Employment

Children under the age of 13 cannot be employed in any capacity. Those under age 16 are not permitted to work in an industrial enterprise, including transportation or street trading; their total work hours are strictly limited and may not interfere with school attendance. They may work as part of an educational course. Independent NGOs claimed that up to 2 million young people of school age in the country were involved in part-time employment. Under current rules, a child age 13 to 16 must apply for a work permit from a local authority and the local authority's Education and Welfare Services have primary responsibility for oversight and enforcement. Several central government ministries have additional regulatory responsibilities: the Department of Trade and

Industry, Department for Education and Skills, and the Health and Safety Executive.

In February, a government task force published a report entitled, *The Regulation of Child Employment*, which cited the multi-layered oversight system as leading to patchy enforcement of the law and recommended a more consolidated approach. The report also recommended shifting the responsibility for registration from the individual child to the employer, as there is evidence that many children do not apply for work permits.

There were no confirmed reports of violations or prosecutions during the year. In instances reported since 2000, there were successful prosecutions resulting in fines of up to \$23,560 (12,400 pounds).

There were reports that children were trafficked into the country and forced to work as domestic servants, beggars, pickpockets, drug couriers, or in sweatshops and restaurants (see Section 5).

e. Acceptable Conditions of Work

The national minimum wage, which ranged from \$7.45 to \$8.82 (3.00 pounds to 4.85 pounds) depending on the age of the employee, did not provide a decent standard of living for a worker and family; however, other benefits of the welfare state filled the gap, including free universal access to the National Health Service. In October, the law extended the minimum wage to cover homeworkers. Tax authorities have the power to issue compliance orders against employers not paying the minimum wage, but disputes are handled by the Employment Tribunals. The Government aggressively monitored employer efforts to bring pay practices into compliance with minimum wage law. Unions and NGOs were also actively involved in ensuring employees are aware of their rights.

The law limits the workweek to 48 hours; however, the regulations do not apply to senior managers and others who can exercise control over their own hours of work. An individual employee may agree through a contract to work overtime.

The law stipulates that the health and safety of employees not be placed at risk, and, in practice, it was generally and effectively enforced by the Health and Safety Executive, which could initiate criminal proceedings in appropriate cases. Workers' representatives also actively monitored enforcement of the law. Workers may remove themselves from dangerous work conditions without jeopardy to their continued employment.